

Domestic Relations Committee
Judicial Conference of Indiana

Minutes
July 18, 2003

The Domestic Relations Committee met at the Indiana Judicial Center in Indianapolis, Indiana on Friday, July 18, 2003, from 10:30 a.m.- 3:00 p.m.

1. Members present. Thomas J. Felts; Diana LaViolette; Keith A. Meier; Robyn L. Moberly; Michael P. Scopelitis; Kathy R. Smith; Richard G. Striegel and Daniel F. Donahue, Chair.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Minutes approved. The minutes for the committee on May 16, 2003 were approved.
4. Guests present. Karen Cole, President, Indiana Child Support Alliance; David Morris, Senior Deputy Prosecutor, and Scott K. Cooke, Assistant Chief Deputy Prosecutor, Marion County for Indiana Child Support Alliance; Bruce A. Dumas, Deputy Prosecuting Attorney, St. Joseph County for the Indiana Child Support Alliance; Karla Mantia, Child Support Deputy Director, Child Support Bureau, FSSA; Dafney Risch, Assistant Director Child Support Bureau, FSSA; and Mike Aronson, Staff Attorney, Child Support Bureau, FSSA; Robert Monday, Children's Rights Council; Lilia Judson, Executive Director, State Court Administrator's Office and Leslie Rogers, Director, State GAL/CASA, State Court Administrator's Office were also present.
5. Child Support Guidelines.
 - a. Jeffrey Bercovitz distributed comments about the recent draft of the child support guidelines placed on the Internet after the May meeting.
 - b. Judge Donahue distributed draft revisions based on the on the comments of the Child Support Alliance and discussed other revisions in the following areas: removal of the 150% of poverty language, removal of the special remedy language, work-related child-care expenses, removal of case citations for social security disability benefits, and visitation tables.
 - c. Judge Donahue moved to adopt the draft as finished today and forward it to the Supreme Court of Indiana as the committee's recommendation. Judge Felts seconded the motion. The motion was passed.
 - d. Judge Donahue distributed an executive summary of the guidelines to the committee.
6. ADR Fund in Domestic Relations cases .
 - a. Jeffrey Bercovitz distributed the following: (1) Notice of the new statute distributed to courts, HEA 1034, ADR Rule 1.11, Letter concerning ADR rule, (2) ADR Plans from: Allen, Porter, Putnam, Marion, and Starke counties, Draft ADR Plan from Clark County; and (3) ADR Fund website materials: www.state.in.us/judiciary/center/committees/dom_rel/adr/index.html.
 - b. Lilia Judson, Division of State Court Administration asked for assistance from the committee in approving plans under ADR Rule 1.11. The committee agreed to (1) Draft guidelines for approval of the ADR plans and run the guidelines by the chairs and members of the ADR and Juvenile Justice Improvement Committees of the Judicial Conference of Indiana; (2) Recommend that after August 1, 2003, all plans may be approved conditionally by the State Court Administrator's Office pending further review under guidelines being developed by the committee; (3) Recommend that the guidelines, when developed, be used have the State Court Administrator's staff look at the plans first and come to the committee with any questions; (4) Prepare guidelines that make sure one program in the county is not in conflict with another in the county and in the annual report gather statistics on how

well the ADR programs are working; and (5) Discuss the use of monies from the State Court Administrator's to have regional meetings on the new child support guidelines and the development and implementation of ADR plans.

c. Lilia Judson agreed to gather statistics on programs in this area based on recommendations from the committee.

7. Education.

a. Jeffrey Bercovitz reported the Center planned a two hour session at the Annual Meeting of the Judicial Conference on Thursday, September 11 with two portions: (1) A review of the draft Indiana Child Support Guidelines with a presentation by Judge Moberly and Judge Scopelitis; and (2) a review of the new legislation permitting the use of ADR in domestic relations cases with Judge Felts and Judge Harper. The committee suggested one hour and 15 minutes be devoted to the Child Support Guidelines and 45 minutes to the new legislation.

b. Jeffrey Bercovitz distributed a memorandum prepared by Anne Jordan about the Domestic Relations Workshop on November 13-14 in Indianapolis. Judges' Donahue, Meier, Moberly, Scopelitis, Smith and Striegel asked the Center to be registered for this conference.

8. Other.

a. Committee members asked Jeffrey Bercovitz to contact JTAC about the Child Support Guidelines Calculator for online use reviewed last year.

b. Judge Felts gave a report on JTAC's Rapid Response Team work on domestic relations CCS entries.

c. Committee members expressed concern about the content of the domestic relations forms on the Self-Service Legal Center website of the Division of State Court Administration website.

9. Next meeting dates. The members of the committee agreed to meet again on Friday, August 15, 2003, October 17, 2003, from 10:30 a.m. to 4:00 p.m. at the Indiana Judicial Center; Thurs.-Fri., Nov. 13-14, 2003 for an all day Judicial Center Seminar on Domestic Relations and hold no Nov. 2003 mtg.; January 23, 2004 from 10:30 a.m. - 4:00 p.m. at the Indiana Judicial Center (Note: This is 4th Friday!) and February 20, 2004, March 19, 2004, April 16, 2004, May 21, 2004, July 16, 2004 and August 20, 2004, all from 10:30 a.m. to 4:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law